



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 8, 2024

BY ECF

The Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Michael Smith, 24 Cr. 504 (JGK)

Dear Judge Koeltl:

The Government respectfully writes, pursuant to the direction of the Court, to provide an update on the status of discovery in the above-referenced matter. To date, the Government has produced to the defense, among other materials, the complete set of records provided by Google in response to a search warrant for one of the defendant's Google accounts, materials that the Government (to date) has identified as responsive to that Google search warrant, copies of search warrant and Section 2703(d) applications, a video of the defendant's post-arrest interview, and materials obtained from music distribution service providers ("DSPs"), banks, phone carriers, social media companies, and internet service providers. In the upcoming week or so, the Government expects to produce a large volume of streaming data from DSPs and records obtained DropBox. Next month, the Government expects to produce images of materials seized during a search of the defendant's residence. This will include a laptop, a cellphone, and an exemplar of a server that the Government understands was used to stream sound recordings associated with the defendant. While the Government seized dozens of additional devices, it is not the Government's current intent to review each device. Rather, the Government will decide which additional devices to review, if any, after its review of the three devices described above is complete. The Government will make available all devices for the defendant's inspection.

The Government proposes to provide an additional discovery update on or before January 6, 2025.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: 
Nicholas W. Chiuchiolo / Kevin Mead
Assistant United States Attorneys

APPLICATION GRANTED
SO ORDERED


John G. Koeltl, U.S.D.J.

11/11/24